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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 4357 OF 2005**
**IN**
**FIRST APPEAL NO. 986 OF 1999**

| Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders | Court's or Judge's Orders |
|---|---|

Mr. D.S.Mhaispurkar for the applicant.

Mr. Dilip Mahadik i/by Mr. S.R.Singh for respondent No.1.

**CORAM : ANOOP V. MOHTA,J.**
**DATED : 26th September, 2007.**

**P.C.**

1. Considering the fact that the original claimant-applicant in this application has suffered the accident and 20% disability, moving this application for vacating the stay as granted by this Court; that resulted into the stay of the order dated 17th February, 1999 whereby, the District Judge, MACT, Kolhapur has ordered that out of the decretal amount Rs.30,000/- shall be paid to the applicant herein (Original respondent No.1). In

the result, till this date inspite of the order, he is not in a position to withdraw the same amount.

2. Considering the averments made I am of the view that the appellant-original respondent No.1 is entitled to withdraw the same amount of Rs.30,000/- subject to furnishing the security to the satisfaction of the trial Court.

3. Resultantly, the interim order as granted on 4th December, 1999 is modified to that extent.

4. The rest of the order is maintained as it is, except the above modification.

5. The Civil application is disposed of, accordingly.

**[ANOOP V. MOHTA, J.]**